

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
NEWPORT NEWS DIVISION**

UNITED STATES OF AMERICA

v.

ASIA TAMARA BILLUPS,  
Defendant.

CASE NO.: 4:24cr70

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**MOTION FOR COMPETANCY EVALUATION PURSUANT TO 18 USC 4241(a)**

Counsel for the Defendant Ms. Asia Billups moves the Court to order a hearing and corresponding psychiatric or psychological evaluation of the Defendant.

As ground for this motion counsel asserts that counsel has met with the Defendant on several occasions in an attempt to discuss the factual circumstances surrounding the alleged offenses and to review the discovery provided by the United States.

Ms. Billups is experiencing some degree of mental disease or defect, at present, which is affecting her ability to meaningfully assist in her own defense.

Without unnecessarily revealing attorney-client privileged communications, counsel can assert that Ms. Billups' cognitive abilities and mental defects are consistent with what Ms. Billups was experiencing during her FBI interrogation on July 18, 2024. (Exhibit A).

As captured within Exhibit A, Ms. Billups is experiencing a mental disease or defect which is affecting her memory of many events. As examples, when SA Moldanado read her chat messages to Ms. Billups, Ms. Billups stated that the chats did not sound familiar. (Exhibit A, page 5-6).

When SA Moldonado informed Ms. Billups that two videos were sent in a chat that showed her and a minor child, Ms. Billups responded that she did not remember any videos. Ms.

Billups did not believe the agents were lying, but stated she does not remember making videos involving changing the children's diapers. (Id. at 6).

Again, without challenging the accuracy of the allegation, Ms. Billups told SA Maldonado that she did not remember making videos or sending them. (Id.) In fact, Ms. Billups was "adamant she did not remember making the videos."

When SA Maldonado asked Ms. Billups if there was a reason she could not remember, Ms. Billups could only respond that "she vaped" but knew that did not make people forget things. Ms. Billups then informed the agents that "there was no point in lying to Agents because Agents had the chats and videos, [she] just could not remember the videos." (Id.)

At present, counsel can assert its belief that Ms. Billups is suffering from a mental disease or defect which is materially affecting Ms. Billups ability to assist properly in her defense.

Therefore, counsel believes that there are sufficient grounds to order an evaluation and subsequent hearing. Counsel has discussed the potential for this motion with the Government and the Government does not object to this motion.

Counsel for the Defendant requests that the Court grant this motion to facilitate the administration of justice.

In order to enable the Court and the parties to further evaluate this matter, the defense requests that the Court order that the defendant receive a mental health evaluation pursuant to 18 U.S.C. § 4241 and that the examining physician prepare a report pursuant to 18 U.S.C. §4247.

The Defense suggests that any of the following physicians would be qualified and appropriate to conduct the evaluation, subject to the Court's approval:

Dr. Alana Hollings  
819 W. 21<sup>st</sup> Street, Suite 101

Norfolk, Virginia 23517  
Phone: 757-925-0222  
Fax: 757-925-1414

Dr. Weare Zwemer  
516 Albemarle Drive  
Chesapeake, Virginia 23322  
Phone: 757-58-8848 or 757-560-9863

Counsel for the Defendant requests that the evaluation be conducted at Western Tidewater Regional Jail where the Defendant is currently being held.

WHEREFORE, the Defendant respectfully prays for the entry of an order in accordance with this motion.

Respectfully submitted,

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/s/

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 26th day of November 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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